



**UNITED STATES COURT OF APPEALS  
FOR THE FEDERAL CIRCUIT**  
717 MADISON PLACE, N.W.  
WASHINGTON, D.C. 20439

JARRETT B. PERLOW  
ACTING CLERK OF COURT

CLERK'S OFFICE  
202-275-8000

2022-2069 - Masimo Corporation v. Apple Inc.

**NOTICE OF ORAL ARGUMENT**

This case has been scheduled for oral argument on August 10, 2023 at 10:00 a.m. Because the time for notifying the court of any conflict has expired, the case will not be rescheduled absent a showing of compelling reasons. *See* Fed. Cir. R. 34.

<b>PLACE OF ARGUMENT</b>	Howard T. Markey National Courts Building 717 Madison Place, NW, Washington, DC 20439 <b>Courtroom: Courtroom 201</b>
<b>COUNSEL REGISTRATION</b>	Counsel must check in at the courtroom between <b>9:15 and 9:30 a.m.</b>
<b>REQUIRED RESPONSE</b>	<b>Each party must complete and return the <a href="#">Response to Notice of Oral Argument</a> by July 5, 2023.</b> Counsel should review the court's <a href="#">Guide for Oral Argument</a> and <a href="#">Revised Protocols for In-Person Argument</a> prior to filing the Response. If counsel presenting oral argument has not yet entered an appearance, counsel must file a motion for leave to appear and attach the proposed entry of appearance form. <i>See</i> Fed. Cir. R. 34(e), 47.3(b)(4).
<b>ARGUMENT TIME</b>	Each side receives 15 minutes (including rebuttal), unless otherwise directed by the court.  In cases where one side has multiple parties represented by different counsel and firms, counsel should confer and agree on the apportionment of argument time before submitting Responses to the Notice of Oral Argument. Appellants and Cross-Appellants may divide argument between main argument and rebuttal; Appellees may not.
<b>REMOTE APPEARANCE</b>	Pursuant to the court's <a href="#">Revised Protocols for In-Person Arguments</a> , arguing counsel seeking to appear remotely at oral argument must file a motion and accompanying declaration showing good cause within fourteen (14) days of this notice.

FOR THE COURT

June 21, 2023

/s/ Jarrett B. Perlow

Jarrett B. Perlow  
Acting Clerk of Court

By: M. Lichtenberg, Deputy Clerk

### ADDITIONAL INFORMATION

<b>ACCESSIBILITY ACCOMMODATIONS</b>	Requests for any communications-related disability assistance (ASL, CART) must be submitted <b>at least two weeks</b> before the date scheduled for argument. Please refer to the court's website for more information about disability-based accommodations during court sessions: <a href="#">Accommodation Notice</a> .
<b>AUDIO ACCESS</b>	Live audio streaming of arguments is available <a href="#">online</a> . Oral argument audio files are also posted on the court's <a href="#">website</a> following the conclusion of each day's hearings.
<b>CONFIDENTIAL AND SEALED MATERIAL</b>	Because all arguments are by default open to the public, live streamed online, and recorded for posting on the court's website, counsel should be careful not to discuss any sensitive, confidential, or sealed information during argument. <b>Any motion to seal the courtroom for oral argument must be filed at least one week before argument.</b>
<b>COURT SECURITY</b>	Please plan to allow additional time for security screening. Counsel and others attending argument must show photo identification and pass through security screening upon entering the courthouse. Weapons, food, and beverages are prohibited.
<b>COURTROOM SEATING</b>	<b>Only Federal Circuit bar members and government counsel may sit at counsel tables and address the panel in the courtroom.</b> Other individuals must sit in the public gallery unless they are also members of the bar. The courtroom opens one hour before argument begins; general seating is available on a first-come, first-served basis.
<b>DIGITAL CLOCK</b>	The digital clock on the podium provides a countdown of the time remaining of your argument, along with color-coded light cues: <ul style="list-style-type: none"> <li>• <span style="background-color: green; color: black;">Green</span> - Within allotted time</li> <li>• <span style="background-color: yellow; color: black;">Yellow</span> - Within scheduled rebuttal time (if applicable)</li> <li>• <span style="background-color: red; color: black;">Red</span> - Time expired</li> </ul>
<b>ELECTRONIC DEVICES</b>	Electronic devices must be turned off upon entering a courtroom, but counsel may use electronic devices, including laptops, in silent mode while seated at the counsel tables.
<b>IDENTITY OF THE PANEL</b>	The identity of the judges sitting on the panel hearing this case will not be disclosed until the morning of argument. Panel members will be posted outside of the courtroom and on the court's website the morning of argument.
<b>ORDER OF CASES</b>	Cases are called in the order listed on the calendar posted outside the courtroom and on the court's website. While waiting, counsel should remain in the courtroom or its immediate vicinity.

For additional information about attending oral argument, please visit our [website](#).